

REMARKS

Claims 1-24 are pending in this application. By this Amendment, claim 24 is amended. No new matter is added by this amendment. Reconsideration of the application based on the above amendment and the following remarks is respectfully requested.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Quarterman in the November 26, 2007 interview. Applicant's separate record of the substance of the interview is incorporated into the following remarks.

The Office Action objects to claim 24 for informalities. Claim 24 is amended in accordance with the Office Action's recommendation, to obviate the objection. Accordingly, reconsideration and withdrawal of the objection to claim 24 is respectfully requested.

The Office Action, in paragraph 5, rejects claims 1-12, 22 and 23 under 35 U.S.C. §102(e) as being anticipated under U.S. Patent No. 6,924,594 to Ogura. The Office Action also rejects claim 24 under 35 U.S.C. §103(a) as being unpatentable over Ogura in view of U.S. Patent Application Publication No. 2002/0030443 to Konuma. The Applicant respectfully traverses these rejections.

The Office Action, in paragraph 27, asserts that Ogura teaches the cathode including a surface comprised of an inorganic oxide. The basis for the assertion is the interpretation that that the surface (210) of the cathode is composed of silicon oxide, silicon nitride or copper phthalocyanine. This assertion is incorrect for the reasons discussed below.

Ogura teaches (col. 7, lines 40-47) that the barrier layer, and not the cathode, may be formed of an insulating material, specifically copper phthalocyanine, silicon nitride or silicon oxide. The Office Action improperly asserts that the surface of the barrier layer (210) and the surface of the cathode (209) are one in the same. However, the surface of the cathode (209) does not correspond to the barrier layer as asserted by the Office Action. In addressing this rejection in previous Office Actions, the Applicant amended pending claim 1 to recite "a

second electrode disposed over the electroluminescent layers and having a first surface", "a barrier layer having a second surface" and "the second surface of the barrier layer being in direct contact with the first surface of the second electrode." Therefore, the assertions of the Office Action that the surface of the barrier layer corresponds to the surface of the cathode is incorrect in that the two surfaces are positively recited as being distinct. Specifically, claim 1 positively recites that the second surface of the barrier layer being in direct contact with the first surface of the second electrode. Therefore, the two surfaces cannot reasonably be considered to correspond to each other as asserted in the Office Action.

Further, MPEP §2131 states "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Office Action, in light of the above precedent, improperly interprets Ogura as teaching the features as positively recited in pending claim 1. Ogura expressly teaches a protective electrode (209) and a barrier layer (210), and, therefore, the Office Action improperly interprets Ogura as teaching a second electrode (208) having a first surface (210), and a barrier layer (211) having a second surface (210), where the first surface and the second surface are the same. The pending claims positively recite that the first surface and the second surface are distinct entities. The surface of one layer cannot correspond to the surface of another layer when they are two distinct layers. By asserting that the two layers correspond to one another, is asserting that the second electrode and the barrier layer are a singly layer.

The applied reference of Konuma does not overcome the deficiencies of Ogura, as discussed above.

Applicant respectfully submits that the Office Action fails to assert a *prima facie* case of anticipation, with the applied prior art references, for at least the reasons discussed above.

For at least the above reasons, Ogura and/or Konuma, in any permissible combination, cannot reasonably be considered to teach, or even to have suggested, the combinations of all of the features recited in at least independent claims 1 and 22-24. Further, claims 2-12 are also neither taught, nor would they have been suggested, by the applied prior art references for at least the respective dependence of these claims on allowable independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of the subject matter of claims 1-12 and 22-24 under 35 U.S.C. §102(e) as being anticipated by Ogura are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-24 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: December 11, 2007

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